

1 J. Andrew Coombs (SBN 123881)
andy@coombspc.com
2 Nicole L. Drey (SBN 250235)
nicole@coombspc.com
3 J. Andrew Coombs, A Prof. Corp.
517 East Wilson Avenue, Suite 202
4 Glendale, California 91206
Telephone: (818) 500-3200
5 Facsimile: (818) 500-3201

6 Attorneys for Plaintiff Adobe
7 Systems Incorporated

8 UNITED STATES DISTRICT COURT

9 NORTHERN DISTRICT OF CALIFORNIA (SAN FRANCISCO DIVISION)

10 Adobe Systems Incorporated,) Case No. C08-0933 MMC
11)
12 Plaintiff,) REQUEST TO CONTINUE CASE
v.) MANAGEMENT CONFERENCE
13)
14 Beverly Johnson and Does 1 through 10,
inclusive,)
15 Defendants.)

16 PLAINTIFF Adobe Systems Incorporated ("Adobe" or "Plaintiff"), by and through its
17 counsel of record, Nicole L. Drey, of J. Andrew Coombs, A P.C., hereby requests as follows:

18 WHEREAS the Court originally set the Scheduling Conference in the above-captioned
19 matter on May 23, 2008, at 10:30 a.m.;

20 WHEREAS Defendant was served on or about February 24, 2008;

21 WHEREAS Plaintiff filed the Proof of Service on or about March 11, 2008;

22 WHEREAS Defendant's answer was due on or about March 15, 2008;

23 WHEREAS Plaintiff filed its Request for Entry of Default on or about April 11, 2008;

24 WHEREAS the Clerk entered default against Defendant on or about April 15, 2008;

25 WHEREAS Defendant has not filed an answer or otherwise responded to the Complaint;

26 WHEREAS Defendant's representative contacted Plaintiff's counsel on or about May 8,
27 2008, seeking to resolve this matter;
28

1 WHEREAS Plaintiff requested, on or about May 13, 2008, that the Case Management
2 Conference be continued so that Plaintiff and Defendant might pursue settlement negotiations;

3 WHEREAS the Court continued the Case Management Conference to July 25, 2008;

4 WHEREAS Plaintiff and Defendant discussed the necessary disclosures to resolve this
5 matter prior to the Case Management Conference;

6 WHEREAS, on or about July 7, 2008, Defendant's representative advised Plaintiff that
7 Defendant would not be producing any documents at the current time;

8 WHEREAS Plaintiff has prepared its Motion for Default Judgment but simply awaits the
9 return of executed declarations before filing;

10 WHEREAS Plaintiff anticipates filing the Motion for Default Judgment during the week of
11 July 21, 2008;

12 WHEREAS Plaintiff will be setting the Motion for Default Judgment for hearing on or
13 about October 3, 2008, because Plaintiff's counsel has another case set for hearing on the same
14 date in San Francisco;

15 NOW, THEREFORE, Plaintiff requests that the Case Management Conference in the above
16 captioned matter be continued until October 10, 2008, or a date thereafter acceptable to the Court.

17
18 Dated: July 18, 2008

J. Andrew Coombs, A Professional Corp.

19
20 By: Nicole L Drey
21 J. Andrew Coombs
22 Nicole L. Drey
23 Attorneys for Plaintiff Adobe Systems Incorporated
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25
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27
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PROOF OF SERVICE

I, the undersigned, certify and declare that I am over the age of 18 years, employed in the County of Los Angeles, and not a party to the above-entitled cause. I am employed by a member of the Bar of the United States District Court of California. My business address is 517 E. Wilson Ave., Suite 202, Glendale, California 91206.

On July 18, 2008, I served on the interested parties in this action with the following:

- **REQUEST TO CONTINUE CASE MANAGEMENT CONFERENCE**
- **[PROPOSED] ORDER GRANTING CONTINUANCE OF CASE MANAGEMENT CONFERENCE**


for the following civil action:

Adobe Systems Incorporated v. Beverly Johnson, et al.

by placing a true copy thereof in an envelope to be immediately sealed thereafter. I am readily familiar with the office's practice of collecting and processing correspondence for mailing. Under that practice it would be deposited with the United States Postal Service on the same day with postage thereon fully prepaid at Glendale, California in the ordinary course of business. I am aware that on motion of the party served, service presumed invalid if postal cancellation date or postage meter is more than one day after date of deposit for mailing in affidavit.

Beverly Johnson 7147 S. Woodlawn, Apt. 1-N Chicago, IL 60619	<i>Courtesy Copy to:</i> David Bloom Evans Loewenstein Shimanovsky Moscardini 130 S. Jefferson, Ste. 500 Chicago, IL 60661
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Place of Mailing: Glendale, California
Executed on July 18, 2008, at Glendale, California


Katrina Bartolome

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andy@coombsp.com
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6 Attorneys for Plaintiff Adobe
7 Systems Incorporated

8
9 UNITED STATES DISTRICT COURT

10 NORTHERN DISTRICT OF CALIFORNIA (SAN FRANCISCO DIVISION)

11 Adobe Systems Incorporated,)	Case No. C08-0933 MMC
)	
12 Plaintiff,)	[PROPOSED] ORDER GRANTING
13 v.)	CONTINUANCE OF CASE
)	MANAGEMENT CONFERENCE
14 Beverly Johnson and Does 1 through 10,)	
inclusive,)	
)	
15 Defendants.)	
)	

16
17 On or about May 14, 2008, the Court set a Case Management Conference on July 25, 2008
18 at 10:30 a.m.

19 Plaintiff thereafter filed its request to continue the Case Management Conference to allow
20 sufficient time to hear Plaintiff's motion for default judgment.

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22 ///

23 ///

24 ///

25 ///

1 In light of the request, the Case Management Conference currently on calendar for July 25,
2 2008 at 10:30 a.m., is continued until _____, at _____.

3
4 IT IS SO ORDERED:


5
6 Dated:

7 Hon. Maxine M. Chesney
United States District Judge, Northern District of
8 California

9 PRESENTED BY:

10 J. Andrew Coombs, A Professional Corp.

11 By:


12 J. Andrew Coombs
Nicole L. Drey
13 Attorneys for Plaintiff
Adobe Systems Incorporated

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